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REMARKS

Claims 29, 34-38 and 43 have been cancelled. Claims 19, 22-26, 30-33, 39-42 have been amended. New claims 44-52 have been added. It should be appreciated that the new and amended claims merely clarify the invention as disclosed by the Applicant in the specification and drawings. Claims 19-28, 30-33, 39-42 and 44-52 remain in the application.

Claims 19, 20, 23-25, 27, 29-30, 34, 36, 39 and 41 were rejected under 35 U.S.C. §102(b) as being anticipated by Tuttle (U.S. Patent No. 6,097,301). Applicant respectfully traverses this rejection.

U.S. Patent No. 6,097,301 to Tuttle discloses a system and method for adjusting the two-way communication range of an RFID system to assist a human operator in individually handling and interrogating a plurality of tagged objects having an RFID tag transceiver. The purpose of the system of Tuttle '301 is to identify the item and where it is to go after it leaves the storage facility. The system includes a human operator 10 responsible for the objects having an RFID identification tag 12. In this example, the system is used in baggage handling, such as at an airport. The operator 10 loads the item 12, which in this example is luggage, into a designated freight container 14. Each freight container 14 is intended to be loaded on a specific airline flight. Each item 12 includes a tag 16 which contains information, such as the designated flight number, which is read by the operator 10. The tag 16 includes a programmable memory 38 containing information such as the flight number and departure time. The system also includes a RFID interrogator transceiver having a set of one or more performance parameters which control a reliable two-way communications range between the interrogator transceiver and any of the RFID tag transceivers. The system further includes an antenna connected to the interrogator transceiver that is adapted for

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mounting on the person, and in particular near the hand of the person. The person is able to reduce the distance between the antenna and a tag transceiver by extending his hand toward the tag transceiver. The system further includes a control logic circuit, connected to the interrogator transceiver, for adjusting at least one of the performance parameters, so that reliable two-way communications range between the interrogator transceiver and the transceiver of each of the tagged objects slightly exceeds the minimum distance. In operation, as the operator moves within a certain proximity of the item 12, the tag on the item receives an interrogation signal transmitted periodically from the operator's interrogator 20. The tag 16 responds by transmitting a message containing the itinerary information stored in its memory to the interrogator. The interrogator 20 receives the message and conveys the information to the operator.

The method of Tuttle '301 includes the steps of mounting an RFID interrogator transceiver having an antenna on an operator, and mounting the antenna of the interrogator receiver near the hand of the person. This enables the operator to reduce the distance between the antenna and a tag receiver to a minimum distance by extending his hand toward the tag transceiver. The method also includes the steps of mounting on each tagged object an RFID tag transceiver having a set of one or more performance parameters which control a reliable two-way communications range between the tag transceiver and the interrogator transceiver. The interrogator transceiver includes a set of one or more performance parameters that control reliable two-way communications range between the interrogator transceiver and any of the tag transceivers. The method further includes the step of adjusting at least one of the performance parameters so that the reliable two-way communications range between the interrogator transceiver and the transceiver of each of the tagged objects

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slightly exceed the minimum distance. By adjusting the range, the operator is confident that the identifying information received from the interrogator pertains to the item the operator is currently handling and not the surrounding items. Tuttle'301 does not disclose a system and method of tracking a stored item within a storage facility by assigning the item a first and second unique identification codes for tracking the identity of the item, but rather a method of discriminating between items by adjusting the communication range of an RFID transceiver, in order to identify the destination of that item.

In contradistinction, claim 1 discloses a method of identifying an item as it is received, while it is stored and where it should be shipped. Claim 29 has been cancelled. Claims 39 and 44 are similar to Claim 19 and include additional features. The method includes the steps of assigning a first item identifier to the item to identify the particular item, and storing the first item identifier in a computer database. The method also includes the steps of assigning a second item identifier to the item that associates the item with the first item identifier, and affixing a first selectively programmable identification device on the item, such that the second item identifier is stored in the memory of the first programmable identification device. The method further includes the steps of assigning a destination identifier to the item indicative of a predetermined destination for the item, a status identifier indicative of a shipping status of the item and a storage location identifier indicative of a current storage location of the item within a storage area. Each of these identifiers is stored in the memory of the first programmable identification device. The method also includes the step of providing a second selectively programmable interrogation device that is operatively in communication with the first identification device and computer system. The method further includes the step of using the second selectively programmable interrogation device to

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interrogate the first identification device by comparing the first item identifier to the second item identifier. The second interrogation device reads the destination identifier, status identifier and location identifier from the first identification device of the first identifier compares to the second identifier, to track the item within the storage area.

The system includes a predetermined location identifier associated with the storage area. The system also includes a computer system having a database for storing the item identifier, status identifier, a destination identifier and location identifier within a memory. The system further includes a first selectively programmable identification device disposed on the item. An item identifier, a location identifier, a status identifier and a destination identifier are all stored in a memory of first identification device for use in tracking the item. The system also includes a second selectively programmable interrogation device. The second interrogation device interrogates the item identifiers to locate the item.

Tuttle '301 merely discloses a system and method of identifying where an item will go after it leaves the storage facility. Tuttle '301 does not disclose a system and method of tracking an item within a storage area that includes a first item identifier and a second item identifier which cross-references the first item identifier, a final destination identifier, a shipping status identifier and a location within the storage area identifier. Also, Tuttle '301 does not disclose a system and method of automatically tracking an item within a storage area that is being stored prior to shipping, and is moved around within the storage area. Tuttle '301 is distinguishable since the communication range of the RFID interrogator transceiver is adjusted so that only the item in the immediate vicinity of the operator, or associated with the operator, receives the signal for identification purposes. Further, Tuttle '301 does not disclose a system of tracking an item within a storage area that includes the steps of assigning a first

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and second item identifier, a destination identifier, a status identifier, and a storage identifier to the item, programming the identifiers into a programmable identification device that is affixed to the item, and comparing the item identifiers to automatically track the item within the storage area using a computer system.

In fact, the teachings of Tuttle '301 teach away from the claimed invention, since Tuttle '301 teaches adjusting the communication range between the interrogator transceiver and the tag transceiver to slightly exceed the closest distance between the interrogator and the tag while the operator is handling the tagged object. The communication range is minimized so that only the object closest to the interrogator receiver receives the signal, and not the other objects in the storage area. This is distinguishable from the teachings of the Applicant, where the object is assigned two identifiers, and the interrogator transceiver sends a signal to a plurality of items in the storage facility and the first and second identifier is cross-referenced to identify the item. Therefore, adjusting the communication range to be a minimum so the only the closest item to the operator receives the signal is not the same as sending a signal to the items within the storage area to locate the item by cross-referencing the first and second identifier. The teachings of Tuttle '301 do not solve the problem of manually searching the storage facility to locate a stored item, which Applicant is trying to solve with his invention. In fact, the teachings of Tuttle '301 rely on a manual search to identify the item.

While Tuttle teaches that RFID systems have been proposed for identifying tagged objects for purposes of taking inventory or tracking movements (column 1, line 19-22), it does not teach a system and method for automatically tracking an item within a storage area using a first identifier and a second identifier to identify the item. According to MPEP

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706.02, for anticipation under 35 U.S.C. §102(b), there must be some teaching in the reference to suggest the method of tracking a vehicle within a vehicle storage facility as taught by the Applicant. Any features not taught directly must be inherently present. The Applicant respectfully submits that the requisite teachings are not present in Tuttle '301.

Therefore, it is respectfully submitted that claims 19 and 39 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. §102(b).

Claims 21, 28, 35 and 37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tuttle '301 in view of Benson et al. (U.S. 5,635,693). Applicant respectfully traverses this rejection for the reasons discussed with respect to the rejection under Section 102(a), and as follows. Claims 35 and 37 are cancelled, and Applicant submits that the rejection with respect to these claims is now moot.

U.S. Patent No. 5,635,693 to Benson et al. discloses a radio frequency tagging system used to monitor vehicles entering, leaving or stored in a storage lot. The system includes a plurality of storage areas 101, 102, a computer 130, a vehicle with an rf tag 210 attached, a paging company 160 with broadcast antenna. A method for monitoring vehicles passing through the storage area includes the steps of storing one or more vehicles in a vehicle storage area have vehicle access. The method also includes the steps of attaching a radio frequency signal to the vehicle using a radio frequency tag having a tag antenna and a tag memory with vehicle ID information about the vehicle. The method further includes the steps of passing the vehicle through the vehicle access while communicating the radio frequency signal between the base station and the radio frequency tag to place the vehicle ID information of a return radio frequency signal that is sent to the base station, storing status information on the computer containing information about vehicle ownership and using the

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vehicle ID information to take an action. Benson et al. '693 does not disclose a system and method of automatically tracking a stored item that includes assigning the item unique identification codes for tracking the identity of the item, the storage location of the item, the intended destination of the item and the status of the item.

None of the reference alone or in combination with each other teach or otherwise suggest the claimed invention of claims 21 and 28 for the reasons set forth above and as follows. Specifically, the Tuttle '301 reference merely discloses a method for adjusting the communication range of a RFID system so that the interrogator transceiver only communicates with one particular item in the communication range. Benson et al. '693 merely teaches the use of a radio frequency transceiver to track the vehicle identification code of a vehicle entering or leaving or stored within a storage lot. The combination of Tuttle and Benson et al. does not disclose a system and method of tracking a stored item, such as a vehicle within a storage area, using two unique identifiers for identifying the item, the current location of the item, the status of the item, and the destination of the item.

The combination of the references, if combinable, would not render obvious Applicant's invention as claimed in claim 21 and 28. Further, it would not be obvious to one skilled in the vehicle storage art of the Applicant to combine the baggage handling art of Tuttle that adjusts the range of the RFID system to identify the item in the immediate vicinity of the interrogator transceiver with the vehicle tracking art of Benson, and there is nothing in the teachings of Bensen or Tuttle to suggest a motivation for such a combination. Although the Examiner suggests that such a combination would be obvious, that is to modify the tag information when there is a sudden flight change, the combination of Tuttle and Bensen would only keep track of the item while the item is entering or leaving the storage facility. In

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fact, the unobvious feature of the present invention is the use of these unique identifiers in remotely tracking a plurality of items within the storage area.

Therefore, it is respectfully submitted that the claims 21 and 28 are patentably distinguishable over the combination of Tuttle and Benson.

Claims 22, 38 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tuttle in view of Levine (U.S. Patent No. 5,477,038). Applicant respectfully traverses this rejection for the reasons set forth above and as follows. Claim 38 has been cancelled and Applicant submits that the rejection with regard to this claim is now moot.

U.S. Patent No. 5,477,038 to Levine discloses a process which provides electronic access to pre-paid funds for cash or payment for goods or services. The method of Levine '038 includes the steps of generating a plurality of card numbers having an account number and a bank identification number, and this information is encoded on the card. The method also includes the step of creating a central computer having a field for the bank identification number, a field for the account number, a field for customer data, a field for currency amount, and a fifth field for a personal identification number. The bank identification number and the account numbers are loaded into the database. At the time of card purchase, customer data and identification number corresponding to a card number and a currency amount selected by a customer from a first remote terminal. The method also includes the steps of loading the customer data and currency amount into the third and fourth fields in the database, and a personal identification number into the fifth field. The method still also includes the steps of subsequently receiving at a second remote terminal a customer inputted PIN, a card number and a debit currency amount. The method further includes the steps of subtracting the currency debit amount from the currency amount in the database, updating the currency

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amount in the database and transmitting an authorization message for transferring the currency debit amount if sufficient funds exist, or transferring a transfer denied message if sufficient funds do not exist. The method further includes the step of storing inventory status control information to indicate the status of the card, receiving a sales agent identification with the ID number for the card, comparing the sales agent ID with the ID number for the card and returning an error message if there is no match. The inventory control status information includes first data indicating the ordering of cards by an issuer, data indicating the shipment of cards by a card manufacturer and the receipt of cards by a sales agent. Levine '038 does not disclose a system and method of automatically tracking a stored item within a storage facility that includes the steps of assigning the item unique identification codes for tracking the identity of the item, the storage location of the item, the intended destination of the item and the status of the item.

None of the references, alone or in combination with each other, teach or otherwise suggest the claimed invention of claims 22 and 40 for the reasons set forth above and as follows. Specifically, the Tuttle '301 reference merely discloses a method for adjusting the communication range of a RFID system so that the interrogator transceiver only communicates with the particular item in the adjusted communication range. In Tuttle '301, the operator identifies which shipment container to place to item in for shipment from the storage area. Levine '038 merely teaches a debit card system for allowing access to prepaid funds and for inventory control of the debit cards before they reach the customer. The combination of Tuttle and Benson et al. does not disclose a system and method of automatically tracking a stored item within a storage facility, such as a vehicle within a

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storage area, using unique identifiers for identifying the item, the current location of the item, the status of the item, and the destination of the item.

The combination of the references, if combinable, would not render obvious Applicant's invention as claimed in claim 22 or 40. Further, it would not be obvious to one skilled in the item identification art of Tuttle that restricts the range of the RFID system or the monetary transfer debit card art of Levine '038, to integrate these disparate teachings. There is nothing in the teachings of Tuttle or Levine to suggest a motivation for such a combination. While the Examiner suggests that such a combination is obvious, there is simply no teaching in the specification of these patents to suggest combining these widely unrelated fields of art. In fact, the unobvious feature of the present invention of claims 22 or 40 is the use of these unique identifiers in remotely tracking a plurality of items within the storage area.

Therefore, it is respectfully submitted that the claims 22 and 40 are patentably distinguishable over the combination of Tuttle and Levine.

Claims 26 and 42 were rejected under 35 U.S.C. §103(a) as being unpatentably over Tuttle in view of Bravman et al. Applicant respectfully traverses this rejection for the reasons set forth above and as follows.

U.S. Patent No. 5,866,888 to Bravman et al. discloses a method of encoding and decoding a two-dimensional bar code that is used to identify a traveler's luggage. The method provides for tracking and delivering luggage to a desired location. The method of Bravman et al. '888 includes the steps of generating passenger and luggage ID data at an encoding station and encrypting the passenger and luggage identification data using an encryption algorithm. The method also includes the steps of representing the encrypted data in the form of a barcode structure, and transferring the image of the bar code structure onto a

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boarding pass. The method further includes the steps of scanning the bar code structure at a separate decoding station and decrypting the information. Bravman '888 does not disclose a system and method of automatically tracking a stored item within the storage facility that utilizes RFID technology and unique identifiers for identifying the item.

None of the reference alone or in combination with each other teach or otherwise suggest the claimed invention of claims 26 and 42 for the reasons set forth above and as follows. Specifically, the Tuttle '301 reference merely discloses a method for adjusting the communication range of a RFID system so that the interrogator transceiver only communicates with the particular item in the adjusted communication range. In Tuttle '301, the operator identifies which shipment container to place to item in for shipment from the storage area. Bravman et al. '888 merely teaches bar code system for storing identification information in a bar code format and using a bar code scanner to read the information. The combination of Tuttle and Benson et al. does not disclose a system and method of automatically tracking a stored item within a storage facility, such as a vehicle within a storage area, using unique identifiers for identifying the item, the current location of the item, the status of the item, and the destination of the item.

The combination of the references, if combinable, would not render obvious Applicant's invention as claimed in claim 26 or 42. Further, it would not be obvious to one skilled in the item identification art of Tuttle that utilizes RFID technology and restricts the range of the RFID system or the bar code tracking art of Bravman et al. '888, to integrate these disparate teachings. There is nothing in the teachings of Tuttle or Levine to suggest a motivation for such a combination. While the Examiner suggests that such a combination is obvious, there is simply no teaching in the specification of these patents to suggest combining

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these widely unrelated fields of art. In fact, the unobvious feature of the present invention of claims 26 and 42 is the use of a selectively programmable identification device and these unique identifiers in remotely tracking a plurality of items within the storage area. The teachings of the Applicant are clearly distinguishable from the teachings of Tuttle and Bravman et al. '888 that require physical scanning of each item individually to identify the item.

Therefore, it is respectfully submitted that the claims 26 and 42 are patentably distinguishable over the combination of Tuttle and Bravman et al.

Claims 31, 33 and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tuttle in view of Jackle (U.S. Patent No. 3,661,098). Applicant respectfully traverses this rejection for the reasons set forth above with respect to Tuttle. Claim 43 has been cancelled, therefore Applicant submits that this rejection is now moot.

In addition, U.S. Patent No. 3,661,098 to Jackle et al. discloses an apparatus for shipping automobile. The apparatus is a rail car that includes attachment means for securing the vehicle to the door for use in shipping the vehicle. Jackle et al. '098 does not disclose a system and method of remotely tracking a stored item within the storage facility that utilizes RFID technology and unique identifiers for identifying the item.

None of the reference alone or in combination with each other teach or otherwise suggest the claimed invention of claims 31, 33 and 43 for the reasons set forth above and as follows. Specifically, the Tuttle '301 reference merely discloses a method for adjusting the communication range of a RFID system so that the interrogator transceiver only communicates with the particular item in the adjusted communication range. In Tuttle '301, the operator identifies which shipment container to place to item in for shipment from the

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storage area. Jackle et al. '098 merely teaches a railroad car with a plurality of doors, and attachment means on the doors for attaching the vehicle during shipping by rail. The combination of Tuttle and Jackle et al. '098 does not disclose a system and method of automatically tracking a stored item within a storage facility, such as a vehicle within a storage area, using unique identifiers for identifying the item, the current location of the item, the status of the item, and the destination of the item.

The combination of the references, if combinable, would not render obvious Applicant's invention as claimed in claim 31, 33 or 43. Further, it would not be obvious to one skilled in the item identification art of Tuttle that utilizes RFID technology and restricts the range of the RFID system or the rail shipping art of Jackle et al. '098, to integrate these disparate teachings. There is nothing in the teachings of Tuttle or Jackle et al. to suggest a motivation for such a combination. While the Examiner suggests that such a combination is obvious, there is simply no teaching in the specification of these patents to suggest combining these widely unrelated fields of art. In fact, the unobvious feature of the present invention of claims 31, 33 or 43 is the use of a selectively programmable identification device in combination with these unique identifiers in automatically tracking a plurality of items within the storage area.

Therefore, it is respectfully submitted that the claims 31, 33 and 43 are patentably distinguishable over the combination of Tuttle and Jackle et al.

Claim 32 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tuttle in view of Handy (U.S. Patent No. 4,832,204). Applicant respectfully traverses this rejection. Claim 32 is a dependent claim from claim 19. Applicant has set forth arguments as to why

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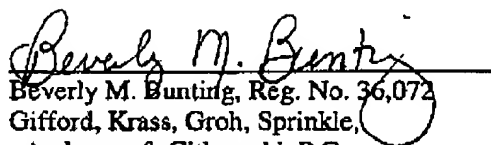
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claim 19 is patentably distinguishable over the prior art; therefore, if claim 19 is allowable, the claims which depend from it are likewise patentable.

Therefore, it is respectfully submitted that the claim 32 is patentably distinguishable over the combination of Tuttle and Handy et al.

Based on the above, Applicants submit that the claims are in a condition for allowance, which allowance is respectfully solicited. If the Examiner finds to the contrary, it is respectfully requested that the undersigned in charge of this application be called at the telephone number given below to resolve any remaining issues.

Respectfully submitted,


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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being sent to the United States Patent Office via facsimile (703) 308-7722 on September 17, 2003.

872-9306

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